

Entered - 03/17/03 - sb  
CL03L0188 - DIANNE C. MITCHELL

CLAIM OF: **HEIDI JENNISON**  
7500 Roswell Road  
#7  
Atlanta, Georgia 30350

03- *R*-0518

For damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on September 17, 2002 at 6615 Roswell Road.

THIS ADVERSED REPORT IS APPROVED

BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

ADVERSED BY  
COUNCIL 4/21/03

## ADVERSE REPORT

COMM Public Safety

DATE 4/1/03

CHAIR [Signature]

Wendy Woodward

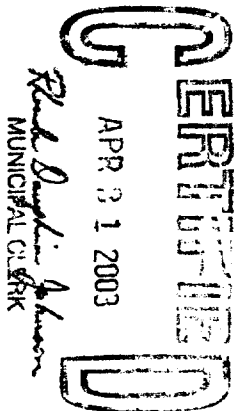
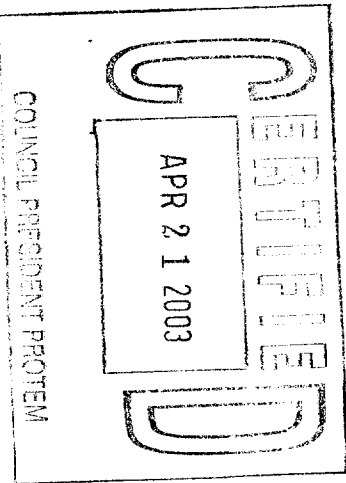
[Signature]

C. T. Martin

[Signature]

Clara Thompson

H. L. Jolly





**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

April 29, 2003

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6273

Heidi Jennospn  
7500 Roswell Road  
Apartment 7  
Atlanta, GA 30350

03-R-0518

Dear Ms. Johnson:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 21, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0188

Date: March 20, 2003

Claimant /Victim HEIDI JENNISON

BY: (Atty)(Ins.Co.) \_\_\_\_\_

Address: 7500 Roswell Road, #7, Atlanta, Georgia 30350

Subrogation: Claim for Property damage \$ 608.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 03/14/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/17/02 Place: 6615 Roswell Road

Department \_\_\_\_\_ Bureau: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove through a pothole at the above location. The investigation determined that the area where the claimant alleges this damage to have occurred is outside the Atlanta City limits and is on a roadway that is part of the Georgia State highway system. The claimant has been advised of the above and advised to pursue her claim with the State Department of Transportation.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager: [Signature] Concur/date 03.20.03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4616  
4/21/03  
2:23 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

CONSENT I

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**4/21/03 FULL COUNCIL MEETING**

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**Items Adopted on the Consent Agenda**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 03-O-0186  | 36. 03-R-0451 | 72. 03-R-0498 |
| 2. 03-O-0350  | 37. 03-R-0571 | 73. 03-R-0499 |
| 3. 03-O-0401  | 38. 03-R-0549 | 74. 03-R-0500 |
| 4. 03-O-0442  | 39. 03-R-0555 | 75. 03-R-0501 |
| 5. 03-O-0438  | 40. 03-R-0556 | 76. 03-R-0502 |
| 6. 03-O-0445  | 41. 03-R-0558 | 77. 03-R-0503 |
| 7. 03-O-0446  | 42. 03-R-0559 | 78. 03-R-0504 |
| 8. 03-O-0443  | 43. 03-R-0560 | 79. 03-R-0505 |
| 9. 03-O-0450  | 44. 03-R-0561 | 80. 03-R-0506 |
| 10. 03-O-0485 | 45. 03-R-0562 |               |
| 11. 03-O-0399 | 46. 03-R-0563 |               |
| 12. 03-O-0369 | 47. 03-R-0564 |               |
| 13. 03-O-0416 | 48. 03-R-0572 |               |
| 14. 03-O-0193 | 49. 03-R-0588 |               |
| 15. 03-O-0355 | 50. 03-R-0589 |               |
| 16. 03-O-0359 | 51. 03-R-0590 |               |
| 17. 03-O-0360 | 52. 03-R-0448 |               |
| 18. 03-O-0436 | 53. 03-R-0454 |               |
| 19. 02-O-1543 | 54. 03-R-0528 |               |
| 20. 03-O-0432 | 55. 03-R-0529 |               |
| 21. 03-O-0433 | 56. 03-R-0569 |               |
| 22. 03-O-0434 | 57. 03-R-0570 |               |
| 23. 03-R-0444 | 58. 03-R-0591 |               |
| 24. 03-R-0530 | 59. 03-R-0592 |               |
| 25. 03-R-0531 | 60. 03-R-0217 |               |
| 26. 03-R-0532 | 61. 03-R-0539 |               |
| 27. 03-R-0533 | 62. 03-R-0541 |               |
| 28. 03-R-0534 | 63. 03-R-0542 |               |
| 29. 03-R-0535 | 64. 03-R-0566 |               |
| 30. 03-R-0536 | 65. 03-R-0593 |               |
| 31. 03-R-0537 | 66. 03-R-0544 |               |
| 32. 03-R-0538 | 67. 03-R-0545 |               |
| 33. 03-R-0546 | 68. 03-R-0565 |               |
| 34. 03-R-0577 | 69. 03-R-0496 |               |
| 35. 03-R-0390 | 70. 03-R-0497 |               |

**Items Adversed on  
the Consent Agenda**

- 81. 03-R-0507
- 82. 03-R-0508
- 83. 03-R-0509
- 84. 03-R-0510
- 85. 03-R-0511
- 86. 03-R-0512
- 87. 03-R-0513
- 88. 03-R-0514
- 89. 03-R-0515
- 90. 03-R-0516
- 91. 03-R-0517
- 92. 03-R-0518
- 93. 03-R-0519
- 94. 03-R-0520
- 95. 03-R-0521
- 96. 03-R-0522
- 97. 03-R-0523
- 98. 03-R-0524
- 99. 03-R-0525
- 100. 03-R-0526
- 101. 03-R-0527

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Consent I Vote: 15Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391